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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte BARNABY L. COURT, TIMOTHY J. O'KEEFE,
ELIZABETH A. SCHREIBER, and DAVID B. STYLES

Appeal 2009-005204
Application 10/675,487
Technology Center 2100

Decided: February 16, 2010

Before JAMES T. MOORE, *Vice Chief Administrative Patent Judge*, LANCE LEONARD BARRY, and STEPHEN C. SIU, *Administrative Patent Judges*.

SIU, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

This is a decision on appeal under 35 U.S.C. § 134(a) (2002) from the Examiner's rejection of claims 1-12. We have jurisdiction under 35 U.S.C. § 6(b) (2008).

We affirm.

The Invention

The disclosed invention relates generally to rendering tables on devices with constrained display functionality (Spec. 1).

Independent claim 1 is illustrative:

> 1. A complex table rendering and navigation system comprising:
>
> a plurality of row range views, a plurality of row views, each of said row views having an association with one of said row range views; and
>
> a plurality of record views, each of said record views having an association with one of said row views;
>
> a complex table processor coupled to an application server and programmed to reduce a complex table into said row range views, said row views and said record views; and,
>
> a controller configured to map selected events and triggers originating within said views to others of said views, and to map additional selected events and triggers originating within said views to said complex table.

The References

The Examiner relies upon the following references as evidence in support of the rejections:

Leduc	6,675,351 B1	Jan. 06, 2004 (filed Jun. 15, 1999)
Bickmore	6,857,102 B1	Feb. 15, 2005 (filed Jan. 29, 1999)
Polonsky	7,072,984 B1	Jul. 04, 2006 (filed Apr. 25, 2001)

The Rejection

The Examiner rejects claims 1-12 under 35 U.S.C. § 103(a) as being unpatentable over Polonsky, Bickmore, and Leduc.

Grouping of Claims

Appellants argue claims 1-12 as a group. (App. Br. 4). We accept Appellants' grouping of the claims. *See* 37 C.F.R. § 41.37(c)(1)(vii) (2009) ("Notwithstanding any other provision of this paragraph, the failure of appellant to separately argue claims which appellant has grouped together shall constitute a waiver of any argument that the Board must consider the patentability of any grouped claim separately."). We therefore treat claims 2-12 as standing or falling with representative claim 1.

ISSUES

Issue 1

Appellants assert that Polonsky is "completely silent as to a plurality of row range views" (App. Br. 5) and "'a plurality of record views'" (*id.* at 6). Appellants also assert that Polonsky fails to disclose or suggest that "these alleged 'record views' have an association with one of the alleged row views" or "reducing the complex table into the row range views, the row view, and the record views" (*id.*).

Does Polonsky describe or suggest row range views, row views, record views, and reducing a complex table into row range, row, and record views?

Issue 2

Appellants assert that "the Examiner has failed to establish a nexus between the proposed modification [of Polonsky in view of Bickmore] . . . and the asserted benefit" (App. Br. 9).

Would it have been obvious to one of ordinary skill in the art to have combined the Polonsky and Bickmore references?

FINDINGS OF FACT

The following Findings of Facts (FF) are shown by a preponderance of the evidence.

1. Polonsky discloses "[t]able pattern recognition [that] looks for tables that conform to some of the more common uses of the tables for data presentation." (Col. 21, ll. 48-50).
2. Polonsky discloses a "Table Pattern as formatted in the original content for a wide screen display . . . and reformatted for a small screen device." (Col. 21, ll. 61-63, Fig. 12).
3. Polonsky discloses "determining how to extract content from the table into a linear form so that it is presentable on the device." (Col. 21, ll. 46-48).
4. Polonsky discloses a "PC-based browser for desktop" (element 300, Fig. 12) and an associated display for a small-screen device (element 304, Fig. 12 – upper right corner) containing a subset of elements selected from the desktop display.
5. Polonsky discloses an expanded view (element 304, Fig. 12 – lower right corner) of a selection from the display of the small-screen device, the expanded view containing detailed information associated with a selected element from the small screen device (i.e., a selected element from element 304, Fig. 12 – upper right corner).
6. The instant Specification fails to provide an explicit definition of the term "range."
7. The plain and ordinary meaning of the term "range" includes "a series of things in a line" or "a sequence, series, or scale between limits" (MERRIAM-WEBSTER'S COLLEGIATE DICTIONARY (11th ed., 2005)).

8. Bickmore discloses "re-author[ing] a document originally designed for display on a desktop computer screen for display on a smaller display screen" (Abstract).
9. Bickmore discloses "two approaches" to reducing data for display on a smaller screen, including "keeping only the section headers" and determining a "cutoff level in the section hierarchy" (col. 8, ll. 25-31).

PRINCIPLES OF LAW

Obviousness

The question of obviousness is resolved on the basis of underlying factual determinations including (1) the scope and content of the prior art, (2) any differences between the claimed subject matter and the prior art, and (3) the level of skill in the art. *Graham v. John Deere Co.*, 383 U.S. 1, 17-18 (1966).

"The combination of familiar elements according to known methods is likely to be obvious when it does no more than yield predictable results." *KSR Int'l Co. v. Teleflex, Inc.*, 550 U.S. 398, 416 (2007).

ANALYSIS

Issue 1

As set forth above, Polonsky discloses a display containing a series of elements that may be selected by a user and displayed on a small-screen device (FF 4-5). Further selection of an element on the display of the small-

screen device generates a display containing further details associated with the selected element (FF 5). Since a "range" of rows (i.e., data) includes any series or sequence of values within limits (FF 6-7), we find no distinction between this range of data elements (i.e., "rows") of Polonsky and the claimed "row range views." Also, Polonsky discloses extracting data from a display of a large-screen device using table patterns and presenting the condensed or "reduced" information on a display for a small-screen device (FF 1-3). We find this disclosure is at least suggestive of "reducing a complex table" into ranges of data and details of the data (i.e., "record views") since modifying data from a large screen device to be presented on a small-screen device would have included "reducing" the data to fit on a small screen.

Appellants argue that while "Polonsky shows the broad concept of rows" (App. Br. 5), Polonsky is "completely silent as to a plurality of row range views" (*id.*). However, as set forth above, Polonsky discloses a "range" (i.e., a series or sequence of data values within limits) of data values (i.e., "rows") from which a selection is made (FF 3-5 and 7). For example, a small-screen display of Polonsky (element 304, Fig. 12 – upper right corner) displays a range of rows of data (e.g., "Departments," "Stores," "Features," Arts & Humanities," and "Business & Economy") since the data displayed in Polonsky includes a series or sequence of data values within predetermined limits (FF 7). While Appellants argue that Polonsky fails to disclose or suggest row range views, Appellants fail to distinguish the range

of rows of data values of Polonsky and the claimed "row range views." As such, we cannot agree with Appellants' contention.

Appellants also argue that "the code disclosed in column 22, lines 56-57 [of Polonsky does not constitute] 'a plurality of record views' given the ordinary and customary meaning attributed to the term 'view' by one having ordinary skill in the art." (App. Br. 6). However, the Specification fails to provide a specialized definition of the term "view." Nor do Appellants provide a definition of the term "view." In the absence of a definition, we adopt the plain and ordinary meaning of the term "view" to include any "pictorial representation" (MERRIAM-WEBSTER'S COLLEGIATE DICTIONARY (11th ed., 2005)). Since Polonsky discloses a display on a small-screen device of data corresponding to a user selection (*see, e.g.*, Fig. 12), which we find corresponds to a "pictorial representation" of the selected data value, and since a "view" includes a pictorial representation, we find no distinction between Polonsky's display of a pictorial representation (i.e., "view") of associated data and the claimed "record views." Nor have Appellants demonstrated any distinction.

Appellants argue that "Polonsky does not teach reducing the complex table [into] row range views" (App. Br. 6) because, according to Appellants, Polonsky only "teaches using '[t]able pattern recognition' to look for tables 'that conform to some of the more common uses of the tables for data presentation.'" (App. Br. 6-7). However, Appellants' observation ignores Polonsky's disclosure of condensing (or "reducing") data from a large-screen device display to be displayed on a small-screen device (FF 2-5), as

described above. Since we find no discernible difference, and Appellants have not demonstrated a difference, between this disclosure by Polonsky and reducing a table into the claimed "row range views," we are unpersuaded by Appellants' arguments.

For at least the aforementioned reasons, we conclude that Appellants have not provided sufficient arguments or evidence persuasive of error in the Examiner's rejection of claim 1, or of claims 2-12, which fall therewith, with respect to issue 1.

Issue 2

As set forth above, Polonsky discloses reducing data to be displayed on a large-screen device to be displayed on a small-screen device (FF 1-5). Bickmore also discloses reducing data to be displayed on a small-screen device (FF 8-9). Since each of Polonsky and Bickmore discloses methods that were known to those of ordinary skill in the art to accomplish an identical task with known, expected, and predictable results (i.e., displaying data on a small-screen device) and since the combination of known elements to achieve a predictable result is obvious (*KSR*, 550 U.S. at 416), we agree with the Examiner that it would have been obvious to one of ordinary skill in the art to have combined the known teachings of Polonsky and Bickmore to at least obtain the predictable result of displaying data on a small-screen device.

For at least the aforementioned reasons, we conclude that Appellants have not provided sufficient arguments or evidence persuasive of error in the

Examiner's rejection of claim 1, or of claims 2-12, which fall therewith, with respect to issue 2.

CONCLUSION OF LAW

Based on the findings of facts and analysis above, we conclude that Appellants have failed to demonstrate that the Examiner erred in:

1. finding that Polonsky discloses or suggests row range views, row views, record views, and reducing a complex table into row range, row, and record views (issue 1) and

2. finding that it would have been obvious to one of ordinary skill in the art to have combined the Polonsky and Bickmore references (issue 2).

DECISION

We affirm the Examiner's decision rejecting claims 1-12 under 35 U.S.C. § 103(a).

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv) (2009).

AFFIRMED

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